

**§ 942.780**

**§ 942.780 Surface mining permit applications—Minimum requirements for reclamation and operation plan.**

Part 780 of this chapter, *Surface Mining Permit Applications—Minimum Requirements for Reclamation and Operation Plan*, shall apply to any person who makes application to conduct surface coal mining and reclamation operations.

**§ 942.783 Underground mining permit applications—Minimum requirements for information on environmental resources.**

Part 783 of this chapter, *Underground Mining Permit Applications—Minimum Requirements for Information on Environmental Resources*, shall apply to any person who makes application to conduct underground coal mining operations.

**§ 942.784 Underground mining permit applications—Minimum requirements for reclamation and operation plan.**

Part 784 of this chapter, *Underground Mining Permit Applications—Minimum Requirements for Reclamation and Operation Plan*, shall apply to any person who makes application for a permit to conduct underground coal mining operations.

**§ 942.785 Requirements for permits for special categories of mining.**

Part 785 of this chapter, *Requirements for Permits for Special Categories of Mining*, shall apply to each person who makes application for a permit to conduct certain categories of surface coal mining and reclamation operations as specified therein.

**§ 942.795 Small operator assistance program.**

Part 795 of this chapter, *Small Operator Assistance Program*, shall apply to any person making application for assistance under the small operator assistance program.

**§ 942.800 Bond and insurance requirements for surface coal mining and reclamation operations.**

(a) Except as provided in paragraphs (b) and (c) of this section, part 800 of this chapter, *Bond and Insurance Requirements for Surface Coal Mining*

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and Reclamation Operations Under Regulatory Programs, shall apply to any person conducting surface mining and reclamation operations.

(b)(1) The Office shall review the adequacy of the bonds for those operators who posted reclamation bonds with the State of Tennessee under its permanent regulatory program prior to the effective date of this program, who gave the State collateral to guarantee reclamation, or who was required to take either of these actions.

(2) Where the Office determines that a bond amount is inadequate it shall notify the operator that additional bond is required. The operator shall post the required bond or collateral in the amount and within the time required by the Office. All bonds shall be made payable to “The United States or the State of Tennessee.”

(3) Not later than 30 days after the effective date of this program each permanent program permittee shall either:

(i) Post an acceptable new bond in the required amount made payable to “The United States or The State of Tennessee” or

(ii) Provide an executed assignment of the required acceptable bond made payable to “The United States or The State of Tennessee.”

(c) *Special consideration for sites with long-term postmining pollutional discharges.* With the approval of the Office, the permittee may establish a trust fund, annuity or both to guarantee treatment of long-term postmining pollutional discharges in lieu of posting one of the bond forms listed in § 800.12 of this chapter for that purpose. The trust fund or annuity will be subject to the following conditions:

(1) The Office will determine the amount of the trust fund or annuity, which must be adequate to meet all anticipated treatment needs, including both capital and operational expenses.

(2) The trust fund or annuity must be in a form approved by the Office and contain all terms and conditions required by the Office.

(3) The trust fund or annuity must provide that the United States or the State of Tennessee is irrevocably established as the beneficiary of the